

NOTICE OF DECISION
CITY OF WOODBURN, OREGON
DIRECTOR OF ECONOMIC AND DEVELOPMENT SERVICES

FILE NUMBER: DR 2010-04
DATE OF DECISION: June 18, 2010
APPLICANT: Hope Lutheran Church
PROPERTY OWNER: Hope Lutheran Church

LOCATION OF SUBJECT PROPERTY: The property is located at 211 Parr Road and can be identified on Marion County Tax Assessor's maps as tax lot 051W18CB01300.

SUMMARY OF PROPOSAL: The applicant requested a Type II Design Review for a 720 square foot garage and storage building accessory to an existing house of worship.

SUMMARY OF DECISION: The Director of Economic and Development Services approved, subject to conditions of approval.

EXPIRATION: The final decision shall expire within one year of the date of the final decision pursuant to Section 4.102.03.D of the Woodburn Development Ordinance unless:

1. A building permit to exercise the right granted by the decision has been issued;
2. The activity approved in the decision has commenced; or
3. A time extension, **Section 4.102.04**, has been approved.

APPEAL RIGHTS: The decision of the Director of Economic and Development Services is final unless appealed to the Woodburn City Council. An appeal stays a decision until the conclusion of the appeals process. A notice of intent to appeal must be received in writing, with the appropriate appeal fee, by the Director of Economic and Development Services within 12 days from the date this notice was mailed. Appeals must comply with the requirements of Section 4.102.01 of the Woodburn Development Ordinance.

A copy of the decision is available for inspection at no cost and a copy will be provided at a reasonable cost at Woodburn City Hall, Department of Economic and Development Services, 270 Montgomery Street, Woodburn, OR 97071. If you have any questions or need additional information regarding appeals, please contact Don Dolenc, Associate Planner, at (503) 980-2431.

DATE OF MAILING: June 18, 2010



**Department of Economic
& Development Services
Planning Division**

270 Montgomery Street, Woodburn, Oregon 97071 • (503) 982-5246

Findings and Decision

Application Type	Type II Design Review
Application Number	DR 2010-04
Project Location	211 Parr Road
Zoning	Single-Family Residential (RS)
Applicant/Representative	Hope Lutheran Church
Property Owners	Hope Lutheran Church
Planner Assigned	Don Dolenc, Associate Planner
Application Received	June 9, 2010
Application Complete	June 15, 2010
120-Day Deadline	June 18, 2010

BACKGROUND AND PROPOSAL

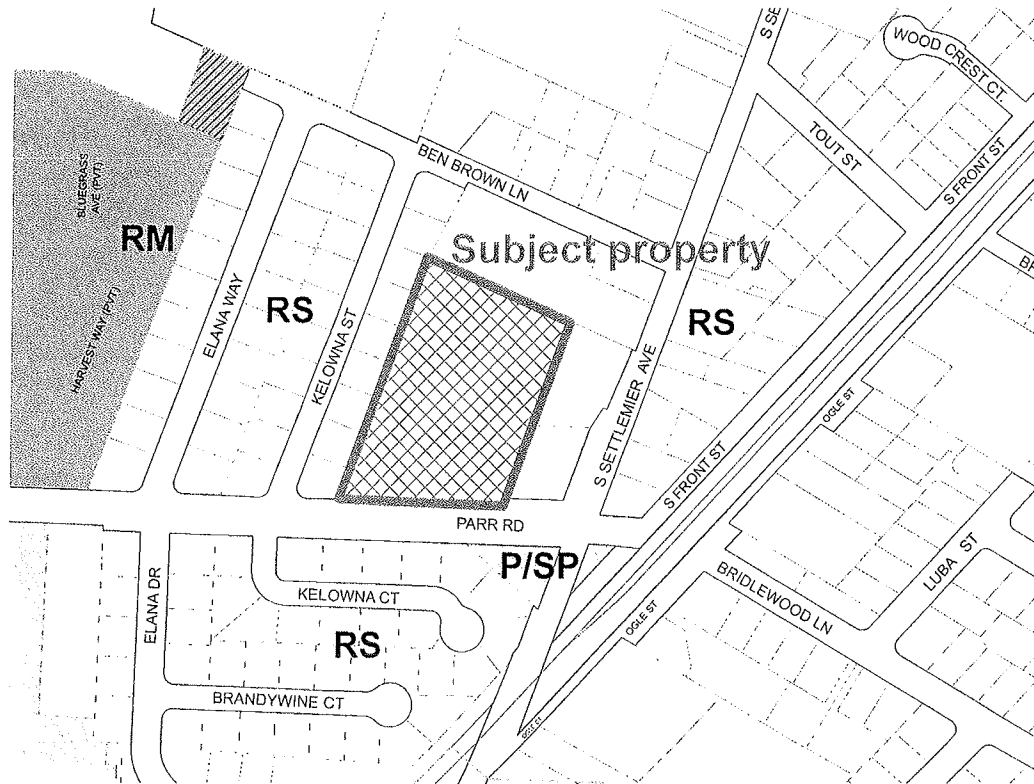
The applicant requests a Type II Design Review for a 720 square foot garage and storage building accessory to an existing house of worship. The property is zoned Single-Family Residential (RS). Abutting properties are zoned Single-Family Residential (RS) and Public/Semi-Public (P/SP). The existing building was expanded to its current size in 1981.

SUMMARY

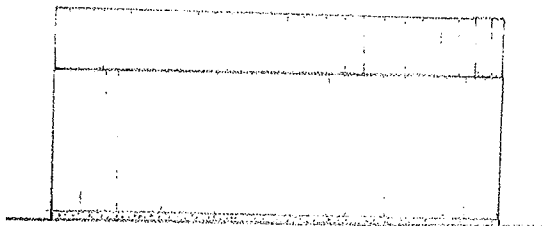
The application is approved, subject to conditions enumerated on page 9.

APPROVAL CRITERIA

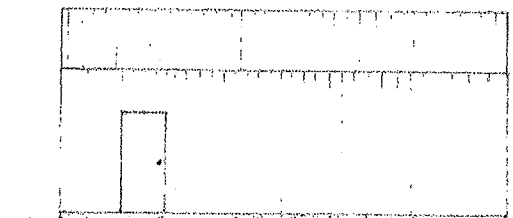
Applicable criteria from the Woodburn Development Ordinance (WDO) are Sections: 1.104 – Nonconforming Uses and Development Standards, 2.102 – Single-Family Residential (RS) District Standards, 2.202.02 – Structures EXCLUDING Fences and Freestanding Walls, and 2.203.13 – House of Worship.



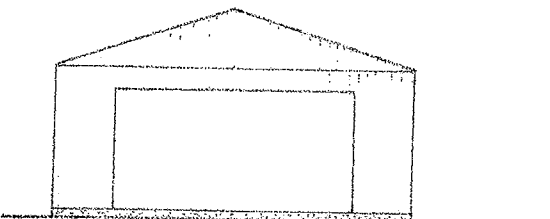
Zoning map



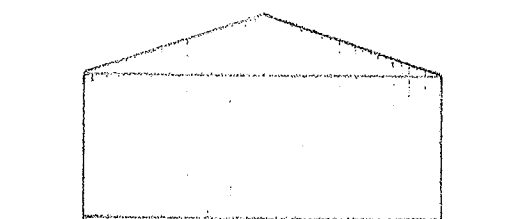
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Scale $\frac{1}{8}" = 1'-0"$ W. view



Scale $\frac{1}{8}" = 1'-0"$ N. view



Scale $\frac{1}{8}" = 1'-0"$ S. view

Building elevations

ANALYSIS AND FINDINGS OF FACT

General Provisions

Findings: Per Table 4.1, Design Reviews for structures less than 1000 Square Feet are Type II decisions. The current application is for a 720 square foot garage and storage building. Per Section WDO 4.101.10.B, the Director of Economic and Development Services is the City decision-maker with authority to render Type II decisions.

Conclusion: The application is correctly filed as a Type II Design Review.

WDO 1.104 Nonconforming Uses and Development Standards

Finding: Section 1.104.05.B provides that parking, loading, landscaping, buffer walls and refuse facilities required for changes or expansions of less than 25 percent shall be limited to those necessary to conform with the increment of change or expansion. The existing building is 11,255 square feet. The proposed garage is 720 square feet.

Conclusions: The proposed garage increases the total area covered by structure by 6.4%. Any changes required to parking, loading, landscaping, buffer walls and refuse facilities are limited to those necessary to conform with the increment of change or expansion. The “increment of change or expansion” is only the 720 square foot proposed garage.

Findings: Section 2.103.06.B provides that the maximum height of buildings shall not exceed 35 feet. Elevation drawings show the proposed garage to be approximately 12 feet in height, per the definition of building height in Section 1.102.

Conclusion: The proposed garage is less than 35 feet high and is conforming with respect to building height.

WDO 2.102 Single-Family Residential (RS) District Standards

Finding: Houses of worship are special permitted uses under Section 2.102.02.I. Garages are permitted accessory uses under Section 2.102.05.A.

Conclusion: The proposed garage is a conforming use in the RS zone.

Findings: Section 2.103.06.B provides that the maximum height of buildings shall not exceed 35 feet. Section 2.202.02.A provides that the maximum height for accessory structures be the same as for primary structures. Elevation drawings show the proposed garage to be approximately 12 feet in height, per the definition of building height in Section 1.102.

Conclusion: The proposed garage is conforming with respect to building height.

Findings: Section 2.103.06.C requires a front setback of 20 feet, side setbacks of 5 feet, and a rear setback of 24-36 feet depending on building height. Section 2.203.13 requires a setback of

not less than 20 feet from an abutting RS, R1S or RM zone, or from an existing residential use. Section 2.202.02.A provides that the setback and maximum height for an accessory structure is the same as for a primary use. Section 2.203.13.E provides that the storage of buses and vans is permitted if the vehicles are not parked closer than 20 feet to a residential zone or use. The site plan shows the proposed garage to be located over 200 feet from Parr Road, 80 feet from the west side lot line, over 200 feet from the east side lot line, and approximately 200 feet from the rear lot line.

Conclusion: The proposed garage is at least 80 feet from any lot line and is conforming with respect to setback requirements.

Findings: Section 2.103.06.G provides that the lot coverage shall not exceed 35 percent where the primary building has an average height of more than 14 feet, or 40 percent where the primary building has an average height of 14 feet or less. Section 2.202.02.B requires that accessory structures be included with the primary structures in computing lot coverage. No information on the height of the primary building was provided. Property tax records indicate an existing building area of 11,255 square feet and a lot area of 143,567 square feet.

Conclusions: The proposed lot coverage is approximately 8.3 percent – less than the 35 or 40 percent allowed by Section 2.103.06.G – and meets the standard.

WDO 2.202.02 Structures EXCLUDING Fences and Freestanding Walls

Finding: The requirements of Section 2.202.02 are discussed in the analysis of setbacks, building height, and lot coverage.

WDO 2.203.13 House of Worship

Finding: The requirements of Section 2.203.13 are discussed in the analysis of setbacks, parking, and landscaping.

WDO 3.105 Off Street Parking and Loading

Findings: The building elevation drawings show a 16' vehicle door. The floor plan shows a free interior space of approximately 24' x 30'. Table 3.1.4 requires that 90° off-street parking spaces be 9' wide and 19' long.

Conclusions: The proposed garage does not generate a requirement for additional off-street parking. The driveway for the proposed garage will presumably eliminate 2 spaces in the parking lot. The proposed garage may accommodate 2 parking spaces. As there is no net change in parking provided, the proposed development complies with the off-street parking ration standards of Table 3.1.2.

WDO 3.106

Landscaping Standards

Findings: Section 3.106.01 provides that “The provisions of this section shall apply ... To the entire site area of the development, where the cumulative effect of additions to structures and/or parking areas increases the total area covered by structure and parking by 50 percent or more than existed at the date of the WDO adoption.” The WDO was adopted on April 9, 2002. The building was expanded to its current size of 11,255 square feet under Conditional Use case CU 1981-01. The proposed garage is 720 square feet.

Conclusions: The proposed garage increases the total area covered by structure by 6.4%. The provisions of Section 3.106 do not apply to this project.

WDO 3.107

Architectural Design Guidelines and Standards

Findings: Section 3.107.06.A provides that “The following design guidelines shall be applicable to all non-residential structures and buildings in the RS, R1S, RM, CO, CG and P zones.” The proposed development is a garage.

Conclusions: A garage is a non-residential structure. The proposed garage is subject to the architectural design guidelines and standards of Section 3.107.

Findings: Section 3.107.06.B.1.a provides that “Building facades visible from streets and public parking areas *should* be articulated in order to avoid the appearance of box-like structures with unbroken wall surfaces.” The floor plan shows a rectangular structure without articulation.

Conclusions: The proposed garage does not meet the guideline of WDO 3.107.06.B.1.a. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.B.1.b provides that “The appearance of exterior walls *should* be enhanced by incorporating three dimensional design features, including the following:

- 1) Public doorways and/or passage ways through the building.
- 2) Wall offsets and/or projections.
- 3) Variation in building materials and/or textures.
- 4) Arcades, awnings, canopies and/or porches.”

The project drawings show a rectangular structure without passageways through the building, wall offsets or projections, variation in building materials or textures, or arcades, awnings, canopies or porches.

Conclusions: The proposed garage does not meet the guideline of WDO 3.107.06.B.1.b. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.B.2.a provides that “Building exteriors *should* exhibit finishes and textures that reduce the visual monotony of bulky structures and large structural spaces; enhance

visual interest of wall surfaces and harmonize with the structural design.” The exterior elevation drawings and submittal photographs show standing seam metal siding for the entire building.

Conclusions: The proposed garage does not meet the guideline of WDO 3.107.06.B.2.a. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.B.2.b provides that “The appearance of exterior surfaces *should* be enhanced by incorporating the following:

- 1) At least 30% of the wall surface abutting a street *should* be glass.
- 2) All walls visible from a street or public parking area *should* be surfaced with wood, brick, stone, designer block, or stucco or with siding that has the appearance of wood lap siding.
- 3) The use of plain concrete, plain concrete block, corrugated metal, plywood, T-111 and sheet composite siding as exterior finish materials for walls visible from a street or parking area *should* be avoided.
- 4) The color of at least 90 percent of the wall, roof and awning surface visible from a street or public parking area should be an “earth tone” color containing 10 parts or more of brown or a “tinted” color containing 10 parts or more white. Fluorescent, “day-glo,” or any similar bright color *should not* be used on the building exterior.”

The exterior elevation drawings and submittal photographs show standing seam metal siding for the entire building, no windows, and a cream finish color.

Conclusions: The proposed garage does not meet guidelines 1-3 of WDO 3.107.06.B.2.b, but does meet guideline 4. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.B.3 provides that

- a. The roof line at the top of a structure *should* establish a distinctive top to the building.
- b. The roof line *should not* be flat or hold the same roof line over extended distances. Rather the roof line *should* incorporate variations, such as:
 - 1) Offsets and/or jogs in the plane of the roof.
 - 2) Changes in the height of the exterior wall for flat roof buildings, including parapet walls with variations in elevation and/or cornices.”

The exterior elevation drawings show the building to have a single gable-end roof.

Conclusions: The proposed garage does not meet the guideline of WDO 3.107.06.B.3. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.B.4 provides that roof-mounted equipment, EXCEPT solar collectors, *should* be screened from view from streets abutting the building site. The drawings show no roof-mounted equipment.

Conclusion: The proposed development meets the guideline of WDO 3.107.06.B.4 because there is no roof-mounted equipment proposed..

Findings: Section 3.107.06.B.5 provides that building faces abutting a street or a public parking area *should* provide weather protection for pedestrians.

The roof plan shows no eave or other weather protection at the building entrances.

Conclusions: The proposed garage does not meet the guideline of WDO 3.107.06.B.5. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.B.6 provides that the landscaping required by the standards of the WDO *should* be augmented to address site-specific visual impacts of abutting uses and the visual character of the surrounding area. The applicability of the landscaping standards is discussed above.

Conclusion: The guideline of Section 3.107.06.B.6 is not applicable, as the proposed garage is not required to meet the landscaping standards of Section 3.106.

Findings: Section 3.107.06.B.10 provides that “Obstruction of existing solar collectors on abutting properties by site development *should* be mitigated.” The proposed garage is located at least 80 feet from any lot line. Elevation drawings show the proposed garage to be approximately 12 feet in height, per the definition of building height in Section 1.102.

Conclusions: The location and height of the proposed garage mitigate its impact on any solar collectors which may exist on abutting properties. The proposed garage meets the guideline of Section 3.107.06.B.10.

Findings: Section 3.107.06.C.1 provides that access to and from the site and circulation within the site *should* separate facilities for cars, trucks and transit from those for bicycles and pedestrians. No change to the existing site access is proposed.

Conclusion: The guideline of Section 3.107.06.C.1 is not applicable to the proposed garage because no change to the existing site access is proposed.

Findings: Section 3.107.06.C.2.a.1 provides that vehicle access points *should* be identified by accentuated landscaped areas, by entrance throats designed to control access from abutting parking and by monument type entrance signs. No change to the existing vehicle access point is proposed.

Conclusion: The guideline of Section 3.107.06.C.2.a.1 is not applicable to the proposed garage because no change to the existing vehicle access point is proposed.

Findings: Section 3.107.06.C.2.b.1 provides that buildings *should* be linked to the sidewalks on abutting streets by internal pedestrian ways. The site plan shows no pedestrian connection to other portions of the site.

Conclusions: The proposed development does not meet the guideline of Section 3.107.06.C.2.b.1. Given the relatively small size of the proposed garage, requiring a pedestrian access would be a disproportionate exaction. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.D.1 provides that “Within the prescribed setbacks, building location and orientation *should* compliment abutting uses and development patterns.”

Conclusion: The proposed garage meets the guideline of WDO 3.107.06.D.1.

Findings: Section 3.107.06.E provides that parking between the architectural front of a building and the setback line abutting street *should* be limited to a depth of not more than 130 feet. The site plan shows the existing parking between the building and Parr Road to be approximately 230 feet in depth.

Conclusions: The proposed garage does not meet the guideline of Section 3.107.06.E, but does not increase the nonconformity of the existing situation. Guidelines are not mandatory standards. A project may be approved even is it does not comply with all stated guidelines.

Findings: Section 3.107.06.F.1 provides that “Outdoor storage, when permitted, *shall* be screened from the view of abutting streets by a solid brick or architectural block wall not less than 6, nor more than 9 feet in height.” The site plan does not show an outdoor storage area.

Conclusion: This decision does not authorize outdoor storage.

WDO 3.110 Signs

Finding: Details of proposed signage were not submitted as part of this Design Review.

Conclusions: This decision does not authorize the installation of signage. Signs must be approved through the sign permit application process.

Overall Conclusions

The proposed development meets or can meet the requirements of the Woodburn Development Ordinance with appropriate conditions of approval. Guidelines are not mandatory standards. The proposed garage need not meet all of the design guidelines of Section 3.107.06.


Decision

Case DR 2010-04 is hereby approved subject to the following conditions of approval:

1. The property owner shall execute an acceptance of these conditions of approval.
2. The property shall be developed in substantial conformity to Exhibits A through D.

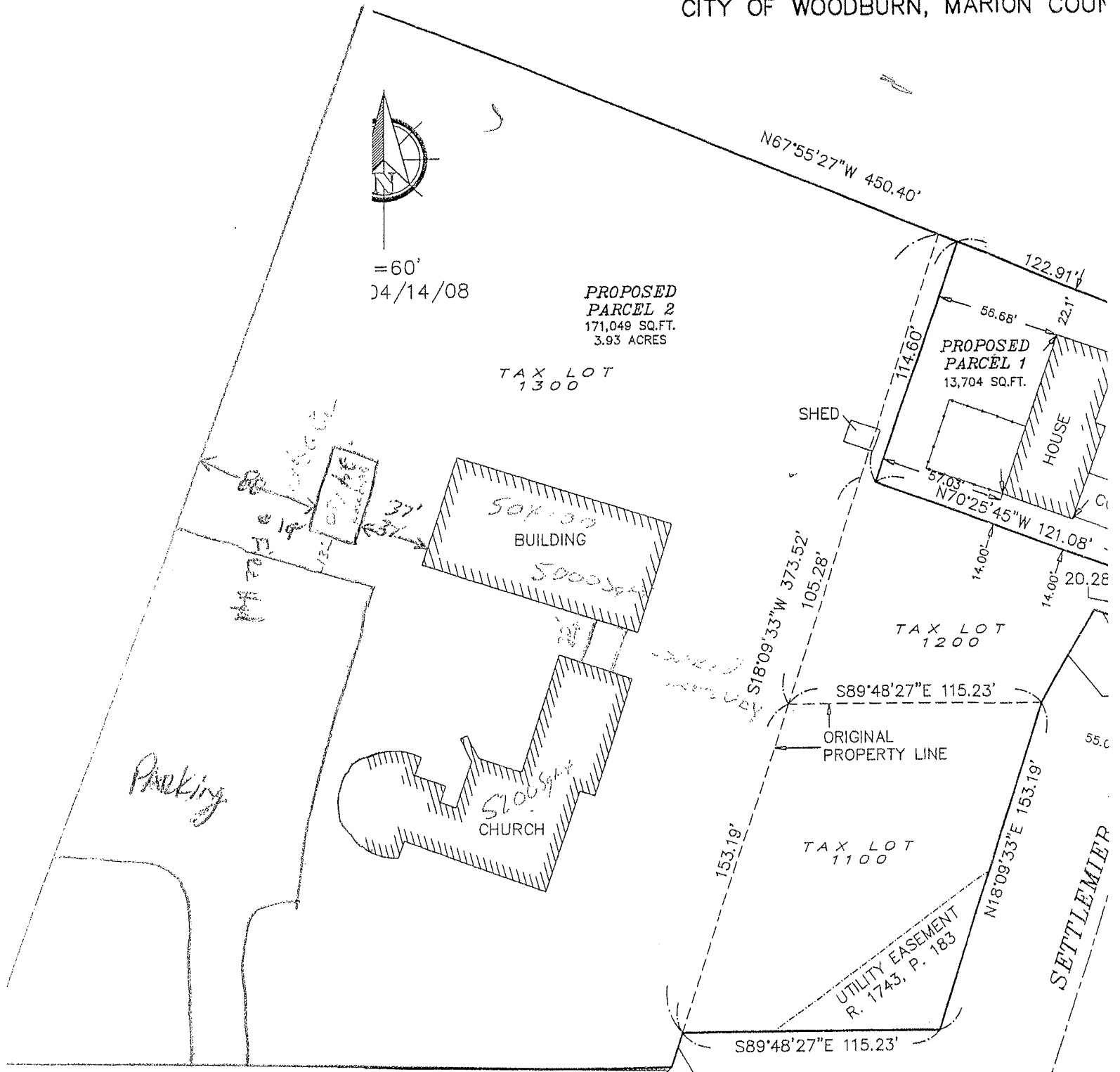
Exhibits

Exhibit "A"	Site Plan
Exhibit "B"	Exterior Elevations
Exhibit "C"	Floor Plan, Roof Plan, Footing Detail
Exhibit "D"	Photograph indicating siding material and color

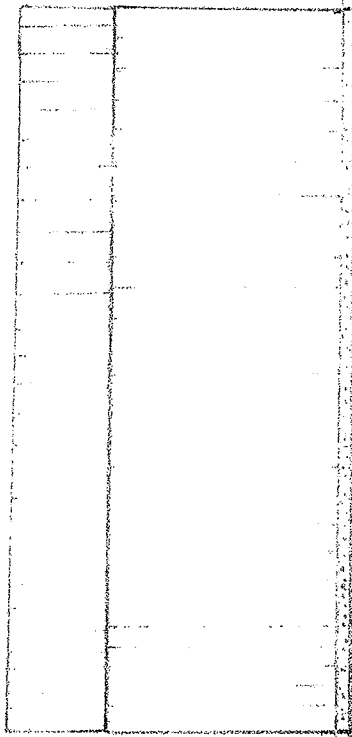

James N. P. Hendryx
Director of Economic and Development Services

06/18/2010
Date

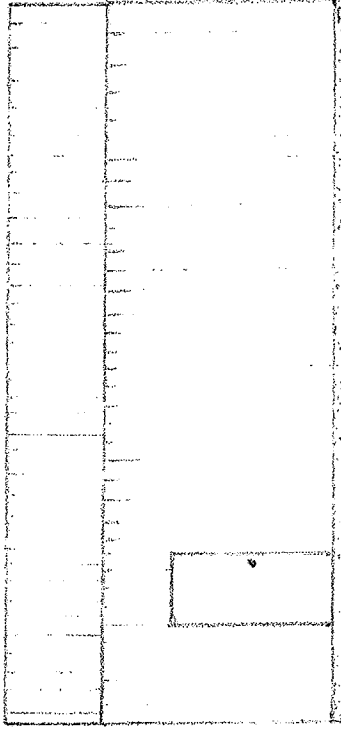
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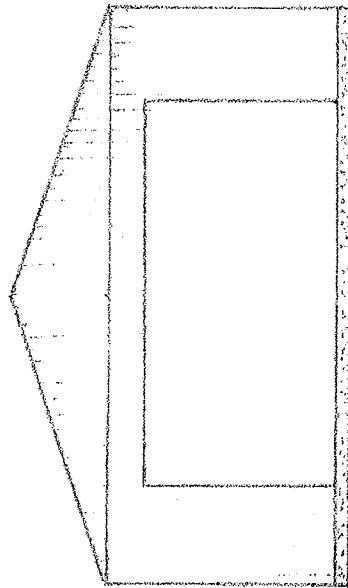
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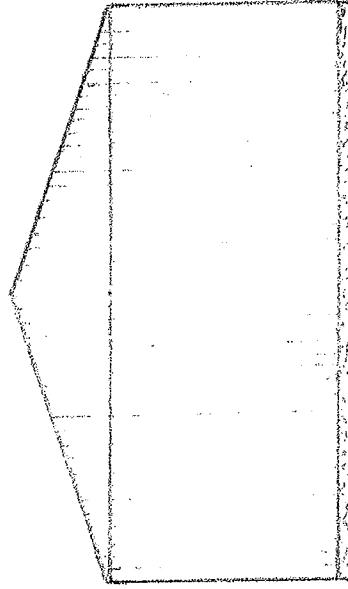
Scale $\frac{1}{8}'' = 1'-0''$ E. view



Scale $\frac{1}{8}'' = 1'-0''$ W. view



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Scale $\frac{1}{8}'' = 1'-0''$ S. view

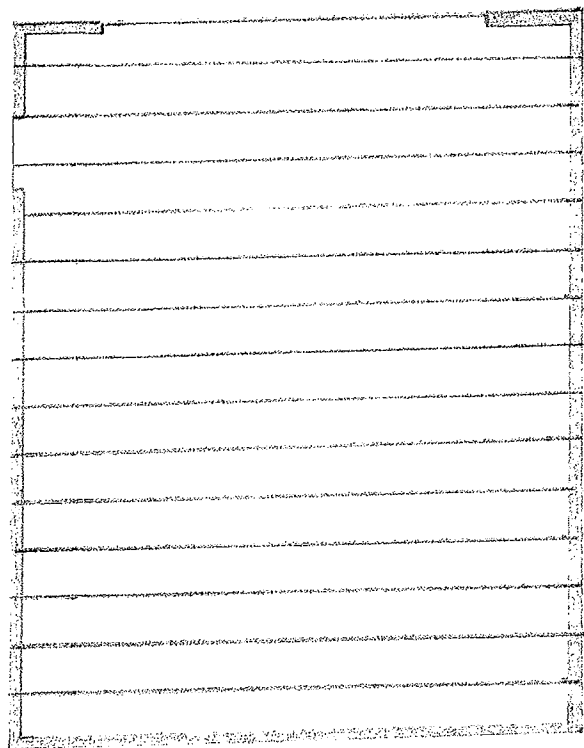
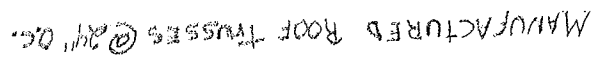
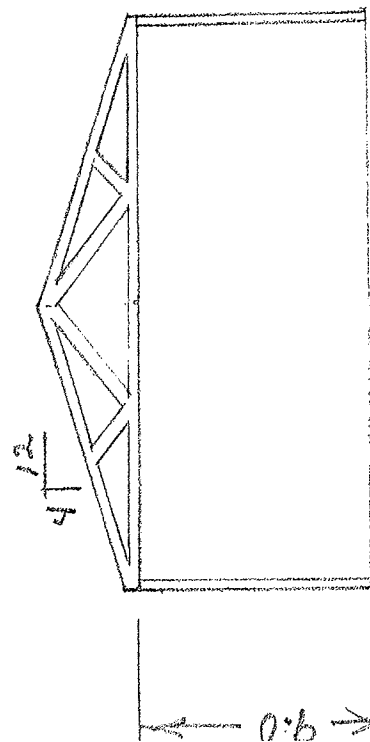
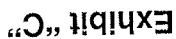

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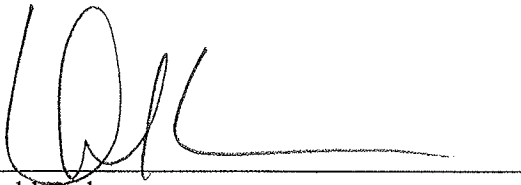


Exhibit "D"

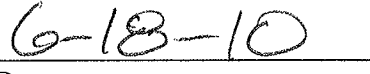
Certificate of Mailing – Notice of Decision

I hereby certify that I mailed the Notice of Decision for file number DR 2010-04 to the area property owners whose names appear on Exhibit "A" attached to this certificate. The envelopes were sealed and addressed as noted in Exhibit "A" and were deposited in the United States mail at Woodburn, Oregon with postage thereon prepaid.

I also certify that I mailed the Notice of Decision and the Findings and Decision to the owner of the subject property. The envelope was sealed and was deposited in the United States mail at Woodburn, Oregon with postage thereon prepaid.



Donald Dolenc
Associate Planner
Department of Economic and Development Services



Date